

**IN THE CLAIMS:**

The text of all pending claims, (including withdrawn claims) is set forth below. Cancelled and not entered claims are indicated with claim number and status only. The claims as listed below show added text with underlining and deleted text with ~~striketrough~~. The status of each claim is indicated with one of (original), (currently amended), (cancelled), (withdrawn), (new), (previously presented), or (not entered).

Please CANCEL claims 3 and 8 without prejudice or disclaimer.

Please AMEND claims 1, 4, 6, 9, 13 in accordance with the following:

1. (CURRENTLY AMENDED) An inspection device that identifies defects on a subject of inspection including photomasks or products fabricated using photomasks, comprising:
  - a reference data generator that generates reference data that is based on design data and includes sensitivity class codes that are used to differentiate designated pattern functions by inspection sensitivity;
  - an inspection sensitivity setter that allocates desired inspection sensitivities for said sensitivity class codes;
  - an image acquiring unit that detects an image of the subject of the inspection and generates data to be inspected;
  - a comparator that compares said data to be inspected with said reference data and detects a defect;
  - a reference data extractor that extracts a region of said reference data that corresponds to where said detected defect exists;
  - a defect registration determinator that refers to said sensitivity class codes in said region and determines whether to register said defect; and
  - a defect memory that records said defect for which registration has been determined, ~~wherein~~ the defect registration determinator further:
    - determines the detected defect is a non-registration defect if the detected defect is smaller than the inspection sensitivities allocated to the sensitivity class codes, and
    - creates a defect determination range by shifting outwardly an outline of a region associated with each of said pattern functions, and based on overlap of said defect and said defect determination range, determines whether to register said defect.

2. (ORIGINAL) The inspection device according to claim 1, wherein said sensitivity

class codes are expressed as at least one of a numeral, symbol, and letter.

3. (CANCELED)

4. (CURRENTLY AMENDED) The inspection device according to claim-3\_1, wherein said defect registration determinator further detects which of said pattern functions said defect is associated with based on said overlap, and based on said inspection sensitivity that has been allocated to said detected pattern function, determines whether to register said defect.

5. (PREVIOUSLY PRESENTED) The inspection device according to claim 1, wherein said sensitivity class codes are set for regions other than those associated with said pattern functions.

6. (CURRENTLY AMENDED) An inspection method to identify defects on a subject of inspection including photomasks or products fabricated using photomasks, comprising:  
generating reference data that is based on design data and includes sensitivity class codes that are used to differentiate designated pattern functions by inspection sensitivity;  
allocating desired inspection sensitivities for said sensitivity class codes;  
detecting an image of the subject of the inspection and generating data to be inspected;  
comparing said data to be inspected with said reference data and detecting a defect;  
extracting a region of said reference data that corresponds to where said detected defect exists;  
determining whether to register said defect, by referencing the sensitivity class codes of the pattern functions in the extracted region; and  
recording said defect for which registration has been determined,  
the determining further comprising:  
wherein determining the detected defect is determined to be a non-registration defect if the detected defect is smaller than the inspection sensitivities allocated to the sensitivity class codes,  
creating a defect determination range by shifting outwardly an outline of a region associated with each of said pattern functions, and  
based on overlap of said defect and said defect determination range, determining whether to register said defect.

7. (ORIGINAL) The inspection method according to claim 6, wherein said sensitivity class codes are expressed as at least one of a numeral, symbol, and letter.

8. (CANCELED)

9. (CURRENTLY AMENDED) The inspection method according to claim ~~8~~ 6, said determining further comprising:

based on said overlap, detecting which of said pattern functions said defect is associated with; and

based on said inspection sensitivity that has been allocated to said detected pattern function, determining whether to register said defect.

10. (PREVIOUSLY PRESENTED) The inspection method according to claim 6, wherein said generating sets sensitivity class codes also for regions other than those associated with said pattern functions.

11. (PREVIOUSLY PRESENTED) The device according to claim 1, wherein the pattern functions are selected from power supply lines, clock signal lines, address signal lines, data input-output signal lines and control signal lines.

12. (PREVIOUSLY PRESENTED) The method according to claim 6, wherein the pattern functions are selected from power supply lines, clock signal lines, address signal lines, data input-output signal lines and control signal lines.

13. (CURRENTLY AMENDED) An inspection method to identify defects, comprising: generating sensitivity class codes to differentiate designated pattern functions by inspection sensitivity;

allocating desired inspection sensitivities for said sensitivity class codes;

comparing data to be inspected with reference data and detecting a defect; and

determining comprising:

whether to register said defect by referencing the sensitivity class codes of the pattern functions,

determining ~~wherein~~ the detected defect to be a non-registration defect if the detected defect is smaller than the inspection sensitivities allocated to the sensitivity class

codes,

creating a defect determination range by shifting outwardly an outline of a region associated with each of said pattern functions, and

based on overlap of said defect and said defect determination range, determining whether to register said defect.